

CITY OF FLAGSTAFF

City Employee Directives

no. 2020-1

Title: Fire Work Period Transition

Effective: December 27, 2020

Revision:

Contact: Office of City Manager

I. Purpose:

To establish a 14-day Work Period for employees in the Fire Division and Aircraft Rescue Fire Fighters (ARFF) who are engaged in fire protection activities, in accordance with 29 U.S.C.A. § 207(k). Establishing a 14-day Work Period for employees engaged in fire protection activities will align their Work Period with the City's 14-day pay period, which will simplify payroll processes and make employee paychecks easier to understand.

II. Eligibility and Application

- A. Section 207(k) of the Fair Labor Standards Act (FLSA) provides public employers with a partial exemption from the requirement of paying overtime when employees engaged in fire protection and/or law enforcement activities has worked more than 40 hours in a week.
- B. The 207(k) exemption allows a public employer to utilize up to a 28-day work period in place of the traditional 7-day workweek. The work period must be between 7 and 28 days.
- C. When an alternate work period is established, the overtime threshold (number of hours that must be worked prior to overtime being required) also changes for the public agency employees to which the new work period applies.
- D. For employees engaged in fire protection activities, the overtime threshold for an established 14-day work period is 106 hours, which means employees engaged in fire protection activities will not be entitled to overtime until they work more than 106 hours in any 14-day work period.
- E. To utilize an alternate work period, the public employer must establish the work period and it must be regularly recurring.
- F. City of Flagstaff employees who are engaged in fire protection activities are currently on a previously-established 12-day work period.

III. 14-Day Work Period Established

- A. Pursuant to 29 U.S.C.A. § 207(k), the City of Flagstaff hereby establishes a 14-day work period for employees engaged in fire protection activities.
- B. The 14-day work period will become effective at midnight on December 27, 2020, at which time the current 12-day work period for employees engaged in fire protection activities will no longer be in effect.
- C. The Employee Handbook of Regulations will be updated to reflect the new 14-day work period.

Greg Clifton, City Manager

Date Approved